

# Exhibit D

**Declaration**

I, James Little, declare and state as follows:

1. I previously filed a declaration in support of the Response of the Echemus Entities and James Little to Defendant Cigna Worldwide Insurance Company's Amended Emergency Motion for Contempt. I have more than 15 years of experience as an investment manager raising funds for companies and investment opportunities.

2. I have personal knowledge of the facts presented in this declaration.

3. Cigna Worldwide Insurance Company ("CWW") has served a document request upon me seeking documents sufficient to identify all investors in any Echemus entity, including individuals and entities that collectively comprise the limited partners of EF (USA), LLC ("EF USA"). EF USA is a minority shareholder in and has no control over the investment decisions of Echemus Group LP. I have no ownership interest in either Echemus Group LP or EF USA. I have not conducted any business with any of EF USA's investors (or any other investors of any of the Echemus entities) in Pennsylvania.

4. The information sought by CWW is highly sensitive and confidential, and its disclosure to CWW would be irreparably harmful to my business and livelihood. Both I and the passive investors in EF USA regard the privacy of their investments as being of the utmost importance. Indeed, the privacy policy of EF USA specifically states that "[a]ccess to private information about the Investors will be restricted to those employees of the Company and its affiliates who require such access to provide services to the Company and the Investors."

Exhibit 1 ("Privacy Notice" of Operating Agreement of EF (USA) LLC dated Sept. 15, 2010). Moreover, because Echemus Group LP's investments include insolvency actions against parties engaged in fraudulent and other criminal conduct, several investors specifically requested that I

take all steps to safeguard their identities from disclosure before they agreed to invest in EF USA.

5. My ability both to maintain the existing funding, and to raise additional funding, from these investors depends critically on their confidence in me to safeguard their privacy, and to avoid any embarrassment, harassment, or risk to their personal safety resulting from having their identities disclosed. Requiring me to disclose their identities to CWW would not only violate their expectation of privacy, but it would also create the serious risk that these investors will withdraw from EF USA, or refuse to pursue future business with that entity. In addition, potential future investors in EF USA and other contemplated funds of any type would also be very reluctant to allow me to invest their capital if they knew I had disclosed the identities of investors in the past.

6. If I cannot maintain the privacy of the passive investors in EF USA, my business relationship with them, and with potential future investors, will be severely and irreparably damaged. The withdrawal of investments by even a few of these passive investors could seriously jeopardize EF USA, and in turn, Echemus Group LP, as going concerns. Because my work for the Echemus entities is my sole business and source of income, requiring me to disclose this information will substantially and irreparably damage my livelihood.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 8, 2012



JAMES LITTLE

# **Little Decl. Exhibit 1**

---

**OPERATING AGREEMENT**

**OF**

**EF (USA) LLC**

**dated as of**

**September 15, 2010**

---

**EF (USA) LLC**

Schedule 1

**PRIVACY NOTICE**

Pursuant to the Gramm-Leach Bliley Act, Public Law No. 106-102, and the rules issued by the Federal Trade Commission regarding the Privacy of Consumer Financial Information, 15 C.F.R. Part 313, institutions that provide certain financial products or services to individuals to be used for personal, family, or household purposes are required to provide written notices to their customers regarding disclosure of nonpublic personal information. This notice is being provided to comply with this requirement.

In the normal course of its formation, operation and dissolution, the Company will collect and disclose certain private information about its Investors. Personal financial information about the Investors, such as their names, addresses, social security or tax identification numbers, assets and incomes, will be obtained from subscription agreements, investor questionnaires and other documents. Other personal information about the Investors, such as capital account balances, contributions, distributions, account data and information about their participation in other investments, will be obtained in the course of transactions between the Investors and the Company or its affiliates.

Except as described below, this private information will be disclosed only as permitted by applicable law to the Company's affiliates and service providers, including the Company's accountants, attorneys, broker-dealers, custodians, transfer agents, and any other parties whose services are necessary or convenient to the formation, operation or dissolution of the Company. Any party receiving private information about the Investors pursuant to the preceding sentence will be authorized to use such information only to perform the services required and as permitted by applicable law.

Access to private information about the Investors will be restricted to those employees of the Company and its affiliates who require such access to provide services to the Company and the Investors. The Company will maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard private information about its Investors. In addition, the Company will continue to assess new technology for protecting information with regard to its Investors. In all events, the Company may disclose Investor information: (a) to other Investors as required or permitted under the Operating Agreement, (b) to entities other than their affiliates and service providers with consent of the Investor; and (c) as otherwise required by applicable law.

The foregoing privacy notice reflects a privacy policy that has been adopted by the Initial Manager. It may be updated from time to time upon notice to the Investors.